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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,493	02/06/2002	Yoshiharu Dewa	7217/66541	1862

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EXAMINER

BLACKMAN, ANTHONY J

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/071,493

Applicant(s)

DEWA ET AL.

Examiner

ANTHONY J BLACKMAN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,8,9,15,20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,8,9,15,20 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/27/04 has been entered.

Response to Arguments

2. Applicant's arguments filed 12/2/04 have been fully considered but they are not persuasive. Examiner disagrees with the following interpretation by applicant regarding use of STARR, US Patent Application Publication, Pub. No.: US 2002/0065818 to the following paragraph bridging pages 8 and 9 of applicant's remarks from 12/27/04, "Looking at Starr we see that it is silent about specifying Structure (e.g. a tree structure) for defining how each node is viewed, and no other view is generated based on a selected view. The system of STAR is merely an electronic records management system for entering and reviewing data about a patient using a graphical user interface.".

After careful consideration of applicant's remarks above, examiner disagrees with view of applicant regarding STARR based on sections 0029-disclosing a Menu Tree 33 with

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a plurality of nodes, e.g., nodes 34, that allow the user to either, add, edit or display clinical history data, including use of Repository of Application Knowledge (**RAK**) Tables from 0029 (defined in sections 0035-0036), in addition to section 0039 disclosing the RAK table means also allows the input of new data, edit old data or display data. A brief explanation of 0029 and 0039 follow;

Editing old data is creating an other view. The view that is edited from old data is an other view than the selected view.

Applicant is urged to consider adding claim language further defining how the other view is based on the selected view because the other as cited is not novel over the building and dynamic tree node structure (section 0092) and building dynamically generated trees (section 104) taught by STARR. Section 0092 –0103 discloses Building and Processing Dynamic Menu Tree Objects followed by sections 104-106 – Building Dynamically Generated Trees (**DGT**), as sections 0104-0106 disclose display of processing tree controls. Therefore, because STARR discloses dynamically building the tree each time it is displayed, examiner interprets STARR to disclose a dynamically displayed tree node structure anticipating the amended claims. Please note the following portion of section 0105 to further clarify examiner's argument followed by an explanation of section 0105;

"The process to interpret the RAK tables and build DGT is essentially the same regardless of the menu tree being built. The system extracts the Tree Control table rows for a chosen Tree_ID and creates a Record Set Object (RSO) array and dynamically builds the tree each time it is displayed. This

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ensures that as a SME (Subject Matter Experts see section 0005) modifies a menu tree, the changes are provided to a user the next time they display the menu--without logging off and back on again."

Modifying the menu tree by SME is a selective/interactive process. When the SME modifies the menu tree (as above) the changes shown in the display are as a result of the previously selected menu and display. Further, the changes represent "an other view" as claimed. Accordingly, examiner interprets STARR to overcome the arguments above by applicant.

Claim Rejections - 35 USC § 112

3. Claim 9 recites the limitation "program code" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-5, 8-9, 15 and 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by STARR, US Patent Application publication, Pub. No.: 2002/0065818.

6. As per claim 1,

examiner interprets STARR to disclose the recited claim language as claimed,

A display controlling method controlling a display of an image (represented by the visual programs of section 0011, the actual images (represented as picture objects of sections 0185 and 0186 and inherently as displayed trees and nodes— generated by the Dynamic Application Generator (with the description beginning at DAG –section 0003) on a display screen (see visual programs of the DAG (the DAG system dynamically generates business application systems section 0011) corresponding to a node (figure 2, element 33 , section 0029) specified by a view (see section 0029 – the view is at least a displayed clinical history),

said method comprising the steps of:

selecting said view based on a program (see visual programs of the DAG (the DAG system dynamically generates business application systems), said program including:

said node (figure 2, element 33, section 0029)

including a constitutive element of said image (it is inherent that (sections 0185-0186 representing picture objects as images, graphics and photos represent a constitutive elements – generated by the Dynamic Application Generator (with the description beginning at DAG –section 0003)

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and indicating (accessing the menu 31 of section 0029 provides an indication of at least the following underlined feature)

a link to data to be accessed (both sections 0029 and 0039 teach that the user may either add, edit, or display data in relation to nodes 34) and/or a fixed attribute of said data to be accessed (note: applicant has broadly claimed "indication" without providing specific details relating to what is meant by "indication"),

and said view for specifying said node (selection of the nodes (figure 2, elements 33 and 34 at section 0029) disclose different views of the menu tree for each selected node)

and a way for displaying said image (the way for displaying said images is determined after each node selection, i.e., at least with elements 35 and 36 of figure 2)

and said data associated with said node on said display screen (the way for displaying said images is determined after each node selection, i.e., at least with elements 35 and 36 of figure 2);

displaying said image corresponding to said data associated with said node in response to a selection of said view said image being displayed according to said way specified by said view ((the way for displaying said images is determined after each node selection, i.e., at least with elements 35 and 36 of figure 2);

and generating an other view based on said selected view (please see Response to Arguments – section 0105; Modifying the menu tree by SME is a selective/interactive process. When the SME modifies the menu tree (as above) the changes shown in the

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display are as a result of the previously selected menu and display. Further, the changes represent “an other view” as claimed).

7. As per Claim 2,

STARR meet limitations of claim 1, including, further comprising step of determining a subsequent view to be selected according to an operation performed according to said display screen (see section 0030 – figure 3, elements 37-patient data tree is displays a menu (figure 2, element 31) from a dynamically generated menu).

8. As per Claim 3,

STARR meets limitations of claim 1, wherein said other view is generated in accordance with an operation history (please see Response to Arguments – section 0105; Modifying the menu tree by SME is a selective/interactive process. When the SME modifies the menu tree (as above) the changes shown in the display are as a result of the previously selected menu and display. Further, the changes represent “an other view” as claimed).

9. As per Claim 4,

STARR meets limitations of claim 3, further comprising the step selecting and displaying said other view (please see Response to Arguments – section 0105; Modifying the menu tree by SME is a selective/interactive process. When the SME modifies the menu tree (as above) the changes shown in the display are as a result of

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the previously selected menu and display. Further, the changes represent “an other view” as claimed).

10. As per Claim 5,

STARR meets limitations of claim 1, further comprising the steps of:

generating a tree structure for establishing a hierarchical relation between a plurality of nodes and a plurality of views (section 0105 builds dynamically generated trees (DGT) and the nodes (and section 0106, specifically step 126 shows the menu tree 33 with a plurality of nodes 34 of section 0029);

and determining said selected view (section 0105 – a modified menu tree and each modification has its own specific view because each node refers to different attributes as seen in 0029 with the nodes 34 that allow the user to add, edit or display data and the menu tree is further expanded in section 0106),

a process for displaying said image (section 0106 and step 126), and said other view based on said generated tree structure (please see Response to Arguments – section 0105 - Modifying the menu tree by SME is a selective/interactive process. When the SME modifies the menu tree (as above) the changes shown in the display are as a result of the previously selected menu and display. Further, the changes represent “an other view” as claimed).

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11. As per Claim 8,

STARR meets limitations according to claim 5, wherein said program further includes a data group (represented as the menu tree 33 and nodes 34) indicating inter-relationships between said plurality of nodes (0029 refer to the menu tree 33 and the plurality of nodes 34).

12. As per Claim 9,

STARR meets limitations according to claim 5, wherein said program code further includes a data group (represented as the menu tree 33 and nodes 34) indicating a mode of transition of said plurality of views (figure 10 elements 124 and 126).

13. As per Claim 15,

examiner interprets STARR to meet the following limitations as claimed,

A display controlling apparatus Comprising: a storage unit for storing data in a structure form (section 0036 – the Repository Application Tables)

including:

a node (figure 2, elements 33-Menu tree with a plurality of nodes and nodes 34) being a structural element of a pictorial representation of data to be accessed and comprising a link to said data to be accessed (the link represents the adding, editing or displaying in relation to nodes 34),

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and a view formed of data indicating a variable attribute of said node (0029 and menu tree 33 and plurality of nodes 34 that may be added, edited or displayed)

and specifying a way in which said data associated with said node is displayed on a display screen (figure 12 discloses a RAK dynamic forms control for different displays/menu trees and nodes);

a data analyzer for analyzing said structure form stored in said storage unit and for generating a tree structure for establishing a hierarchical structure between said node and said view (section 0041 with figure 5, element 54 – data analyzer and section 38 with figure 5, element 62- generating a tree structure);

a selecting mechanism for selecting said view based on said tree structure and an operation performed on said screen (section 0029 and menu tree 33 means);

a display control unit for controlling a display of said display screen in order to display said data associated with said node selected via said selecting mechanism in accordance to said way in which said data associated with said node is displayed on said display screen as defined by said view and based on said tree structure (sections 0041-0042 with figure 5, element 74);

and

a view generating mechanism for generating an other view based on a history of operations performed on said screen (please see Response to Arguments – section 0105 - Modifying the menu tree by SME is a selective/interactive process. When the SME modifies the menu tree (as above) the changes shown in the display are as a

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result of the previously selected menu and display. Further, the changes represent "an other view" as claimed).

14. As per Claim 20,

STARR meets limitations according to claim 1 (of the following underlined limitation), wherein data to be accessed comprises data related to content data and/or an operation available to an electronic apparatus home network environment (the content data is represented in section 0029 with the menu tree 33 and the plurality of nodes and the nodes allow a user to either edit, add or display clinical history data).

15. As per Claim 21.

The display control apparatus according to claim 15 (of the following underlined limitation), wherein said data to be accessed comprises data related content data and/or an operation available to an electronic apparatus home network environment (the content data is represented in section 0029 with the menu tree 33 and the plurality of nodes and the nodes allow a user to either edit, add or display clinical history data).

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. WATSON et al; US Patent No. 4,902,469 and US Patent No. 5,032,978 discloses a status tree display means (figure 15), respectively. COELHO et

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al, US Patent No. 6,128,016 disclose a graphical user interface as a navigation model utilizing hierarchical tree structures (figure 4c and column2, lines 5-23).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY J BLACKMAN whose telephone number is 703-305-0833. The examiner can normally be reached on FLEX SCHEDULE.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW BELLA can be reached on 703-308-6829. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANTHONY J BLACKMAN
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